

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLIE DAVID JACKSON,)	3:14-CV-0228-MMD (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	September 26, 2014
)	
MICHAEL HALEY, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is defendants' motion for leave to depose inmate Charlie David Jackson (#26). Plaintiff has opposed the motion (#31) and filed a motion for protective order to stay deposition (#32).

Defendants' motion (#26), filed on September 15, 2014, moves the court to order plaintiff's deposition on September 26 or 30, 2014. Among other things, plaintiff opposes the dates proposed because he was not given adequate notice of the deposition.¹ The court also notes that defendants filed their motion to take deposition prior to the court's issuance of a scheduling order. Therefore, defendants' motion for leave to depose inmate Charlie David Jackson (#26) and plaintiff's motion for protective order to stay deposition (#32) are **GRANTED in part** and **DENIED in part** as follows:

1. The court will simultaneously issue a separate scheduling order for civil rights actions filed by incarcerated *pro se* plaintiffs; and
2. Defendants shall be permitted to take the deposition of inmate Charlie David Jackson on a date to be scheduled after October 13, 2014;
3. The deposition shall be conducted either in person at plaintiff's place of confinement or telephonically and shall be scheduled at a time that is conducive to security; and

¹Plaintiff also claims that he is not mentally competent to proceed without counsel. Plaintiff's motion for appointment of counsel (#30) will be addressed in a separate order.

4. Following the deposition, defendants shall provide a copy of the deposition transcript to the plaintiff.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk